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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,263	02/24/2004	Harushi Muramatsu	040034	1218
23850	7590	01/24/2006	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			LUU, MATTHEW	
			ART UNIT	PAPER NUMBER
			3663	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/784,263

Applicant(s)

MURAMATSU ET AL.

Examiner

LUU MATTHEW

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/24/04 & 9/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (5,623,260) in view of Lamb (6,184,802).

Regarding claim 1, Jones discloses (Fig. 1) a touring bus running route acquisition system includes a getting-on/off point (bus stops) comprising:

on the side of the touring bus (VCU 12) includes

a geographical position acquisition means (Fig. 1 shows a GPS positioning system 25e) for acquiring the geographical position of the bus (19) at predetermined sampling periods (Fig. 4B shows the time line of the scheduled bus route) (Column 5, line 65 to column 6, line 6; and column 9, lines 59-65);

time acquisition means (Fig. 4B show the planned route event time) for acquiring the time when the geographical position is acquired (Column 9, lines 21-28) (furthermore, it is well-known in the art that the GPS would give the geographical position as well as the time of the position); and

terminal side communicating means (Figs. 2, 3A and 3B show the transceiver 18) having a function of wireless-transmitting the position and time thus acquired (Column 7, lines 42-59).

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On the side of the user (both of the base station control unit (BSCU) 14 and passenger location 36 are the side of the user),

a bus data acquisition means (BSCU 14) for acquiring the geographical position and time provided by the touring bus (VCU 12) (Fig. 5 shows the time (step 54) and position of the bus (event list 73 includes the past and current bus locations) (Column 13, lines 46-48); and

a getting-on/off point (bus stops) specifying means (BSCU 14) for specifying the bus stops on the basis of position and time (Column 2, lines 42-51).

Jones fails to disclose a latitude/longitude acquiring means, instead of the GPS geographical position acquiring means as disclosed by Jones. Jones also fails to teach the getting-on/off point (bus stop) based on the speed computed from the latitude/longitude and time.

However, Lamb discloses (Fig. 2) a GPS receiver (201) determines time and location in terms of latitude and longitude of the vehicle's position (Column 5, lines 63-66). Lamb also teaches the getting-on/off point (bus stop) based on the speed (when velocity = 0) computed from the latitude/longitude and time (Column 5, line 63 to column 6, line 28).

Therefore, it would have been obvious to a person of ordinary skill in the art to use the GPS unit for determining the location of all stops, as taught by Lamb, into the

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touring bus notification system Jones to provide users with a real-time estimation of the time of arrival of vehicles at user selected sites.

Regarding claim 2, it would have been obvious to the person of ordinary skill in the art to recognize that the touring bus running route acquisition system of Jones can calculate the number of bus stops based on different running routes or newest route. Furthermore, Lamb also discloses a number of different routes can be recorded (Column 7, line 58 to column 9, line 7).

Regarding claim 3, Lamb also teaches the getting-on/off point (bus stop) based on the speed (when velocity = 0) computed from the latitude/longitude and time (Column 5, line 63 to column 6, line 28).

Regarding claim 4, Lamb further discloses storage means (read/write memory 307) for storing the running route (Column 7, line 58 to column 8, line 5). Furthermore, it is obvious that when a user wants to store a file in a memory, he must have a file name for that file.

Allowable Subject Matter

Claims 5-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Dean et al (6,232,915) disclose (Fig. 1) a GPS system for identifying clusters of stop locations of the vehicles based on latitude and longitude information reported by the GPS receivers in the vehicles (Column 1, lines 54-58).

-Westerlage et al (5,987,377) disclose (Fig. 4) a display of a vehicle for displaying the expected time of arrival of the vehicle.

-Gaspard, II (6,411,897) discloses a method to schedule a vehicle in real-time to transport freight and passengers.

Kojuma et al (6,014,081) disclose (Fig. 1) a route-setting means (7) and the scheduled rest point setting means (8).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (571) 272-7663. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JACK KEITH can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu

A handwritten signature in black ink, appearing to read 'Matthew Luu', with a stylized flourish at the end.

**MATTHEW LUU
PRIMARY EXAMINER**